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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,408	02/15/2002	Barry Olen Blair	VPI 2426000	3225

7590
Gregory W. Carr
Suite 670
900 Jackson Street
Dallas, TX 75202

07/25/2003

EXAMINER

LAM, TUAN THIEU

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 07/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/077,408

Applicant(s)

BLAIR ET AL.

Examiner

Tuan T. Lam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-9 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 May 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This is a response to the amendment filed 6/10/2003. Claims 1-9 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 remains rejected under 35 U.S.C. 102(b) as being anticipated by Hamada (USP 4,015,213). Figure 3 shows a circuit for generating a constant pulse width output signal comprising steps of applying one of the pair of pulse width modulated signals (S5, S3) to a set input of a latch circuit, applying the other of the pair of the pulse width modulated signals (S3, S5) to a reset input of the latch circuit, wherein both of the pair of pulse width modulated signals have substantially constant and equidistant start transition times (figures 4B and 4D), obtaining a constant width drive signal for the output (S6) of the latch circuit as called for in claim 1.

3. Claim 2 remains rejected under 35 U.S.C. 102(b) as being anticipated by Hamada (USP 4,015,213). Figure 3 shows a circuit for generating a constant pulse width output signal comprising a first pulse width modulated control signal supplying means (13), a second pulse width modulated control signal supplying means (14), wherein both of the pair of pulse width modulated signals have substantially constant and equidistant start transition times (figures 4B and 4D), a toggle circuit (15) connected to said first and second control signal supplying means, the toggle circuit supplying a first output drive signal level (Q) upon detecting a given characteristic of a first pulse width modulated control signal (S5), and supplying a second output

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signal (Q/) level upon detecting said given characteristic of a second pulse width modulated control signal received from said second supply means (S3) as called for in claim 2.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Underhill (USP 4,020,422), prior art of record. Figure 1 shows a circuit for generating a constant pulse width output signal (E or F) comprising steps of applying one of the pair of pulse width modulated signals (A, B of figure 2) to a set input of a latch circuit (6), applying the other of the pair of the pulse width modulated signals (A, B) to a reset input of the latch circuit (6), wherein both of the pair of pulse width modulated signals (A, B) have substantially constant and equidistant start transition times (figure 2), obtaining a constant width drive signal for the output (E) of the latch circuit as called for in claim 1.

5. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Underhill (USP 4,020,422), prior art of record. Figure 1 shows a circuit for generating a constant pulse width output signal comprising a first pulse width modulated control signal supplying means (4), a second pulse width modulated control signal supplying means (5), wherein both of the pair of pulse width modulated signals (A, B) have substantially constant and equidistant start transition times (figure 2), a toggle circuit (6) connected to said first and second control signal supplying means, the toggle circuit supplying a first output drive signal level (E) upon detecting a given characteristic of a first pulse width modulated control signal received from said first supply means (4), and supplying a second output signal (Q/ or complement of E, not shown) level upon detecting said given characteristic of a second pulse width modulated control signal received from said second supply means (5) as called for in claim 2.

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Response to Arguments

6. Applicant's arguments with respect to claim 1, filed 2/6/2003, have been considered but are not persuasive. Applicant argues that Hamada's pulse width modulated signals (S5 and S3) do not have substantially constant and equidistant start transition times as called for in claims 1 and 2 is not persuasive. Figures 4B and 4D clearly shows the two pulse width modulated signals S3 and S4 having substantially constant and equidistant start transition times. Therefore, all limitations recited in claims 1 and 2 are fully anticipated by Hamada.

Allowable Subject Matter

7. Claims 3-9 are presently allowed.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In this regard, applicant's cited prior art has been carefully considered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T. Lam whose telephone number is 703-305-3791. The examiner can normally be reached on Monday to Friday (7:30 am to 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY P CALLAHAN can be reached on 730-308-4876. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Tuan T. Lam
Primary Examiner
Art Unit 2816

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July 24, 2003